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The Board of Trustees of The Leland Stanford Junior  
6 University

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10  
11 The Board of Trustees of The Leland Stanford  
Junior University,

12 Plaintiff,

13 v.

14 Stanford Financial Group Company and Stanford  
Group Company,

15 Defendants.  
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No. 3:08-cv-04950 CRB

**STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING HEARING  
TO SHOW CAUSE, CONTINUING  
HEARING DATES ON PENDING  
MOTIONS, AND EXTENDING TIME  
TO RESPOND TO DEFENDANT  
STANFORD GROUP COMPANY'S  
COUNTERCLAIMS**

Hearing to Show Cause:  
Existing Date: July 24, 2009  
Stipulated Date: August 28, 2009  
Time: 10:00 a.m.  
Ctm: 8

Pending Motions:  
Existing Date: August 21, 2009  
Stipulated Date: September 25, 2009

Response to Counterclaims:  
Existing Date: August 7, 2009  
Stipulated Date: September 11, 2009

Hon. Charles R. Breyer

1 Pursuant to Civil L.R. 7-7(a) and the Court's Standing Order, all parties to this action, by  
2 and through their respective counsel of record, hereby stipulate as follows:

3 On March 25, 2009, the Court entered an Order to Show Cause requiring the Receiver  
4 appointed by the Northern District of Texas to exercise control and possession of the  
5 Defendants' assets (the "Receiver") to appear before the Court on April 24, 2009 to explain its  
6 contention that further proceedings in this action are barred and why this action should not  
7 proceed. Document No. 103. In addition, the Court directed the Receiver and the Plaintiff  
8 Stanford University ("Stanford") to file a Joint Case Management Conference Statement on or  
9 before April 17, 2009. On April 17, 2009, the Court entered an order granting the parties'  
10 request to continue the hearing to show cause from April 24 to May 29 and directing the parties  
11 to file the Joint Case Management Conference Statement on or before May 22, 2009. Document  
12 No. 106. Thereafter, upon the parties' request, orders were entered by the Court on May 22,  
13 2009 and June 18, 2009 which continued the hearing to show cause to July 24 and directed the  
14 parties to file the Joint Case Management Conference Statement on or before July 17, 2009.  
15 Documents No. 110 and 112.

16 Since the Court entered the May 22, 2009 and June 18, 2009 orders continuing the  
17 hearing to show cause, the parties have exchanged draft documentation regarding their resolution  
18 and are close to completing the settlement process, but need a brief additional amount of time to  
19 perfect certain language relating to new issues that have arisen and to finalize documentation.  
20 While the parties have been working diligently to reach a resolution and to finalize a settlement  
21 agreement, it is unlikely that this process can be completed before the July 17, 2009 filing  
22 deadline for the Joint Case Management Conference Statement or the July 24, 2009 date for the  
23 hearing to show cause.

24 In order to provide the parties time to finish the settlement process and to finalize the  
25 settlement documentation, Stanford and the Receiver wish to continue the date of the hearing to  
26 show cause to August 28, 2009 and to continue the filing date for the Joint Case Management  
27 Conference Statement to August 21, 2009. Additionally, Stanford and the Receiver wish to reset  
28 the hearing dates for the Defendants' five pending motions, which are all currently set for August

21, 2009, to September 25, 2009, with opposition and reply dates to run from the later, re-scheduled date pursuant to Civil L.R. 7-3, to extend the time for Stanford to respond to Defendant Stanford Group Company's counterclaims from August 7, 2009 to September 11, 2009, and to extend the time for the Defendants to respond to pending discovery requests from July 31, 2009 to September 4, 2009.

NOW THEREFORE, IT IS SO STIPULATED between the parties that there is good cause for the Court to enter an order resetting the date for the Hearing to Show Cause, which is currently set for July 24, 2009, to August 28, 2009.

IT IS FURTHER STIPULATED between the parties that there is good cause to enter an order resetting the filing date for the Joint Case Management Conference Statement, which is currently set for July 17, 2009, to August 21, 2009.

IT IS FURTHER STIPULATED between the parties that there is good cause for the Court to enter an order to reset the hearing dates for Stanford Financial Group Company's Motion to Dismiss in Part for Lack of Personal Jurisdiction (Doc. No. 57), Stanford Group Company's Motion to Dismiss the First Amended Complaint For Failure to State a Claim on Which Relief Can be Granted (Doc. No. 62), Stanford Financial Group Company's Motion for Judgment on the Pleadings and to Dismiss the First Amended Complaint (Doc. No. 66), Stanford Financial Group Company's Motion to Dismiss a Portion of the First Amended Complaint for Lack of Subject-Matter Jurisdiction (Doc. No. 74), and Stanford Financial Group Company's Motion for Partial Summary Judgment (Doc. No. 80), which are all currently set for August 21, 2009, to September 25, 2009, with opposition and reply dates to run from the later, re-scheduled date pursuant to Civil L.R. 7-3.

IT IS FURTHER STIPULATED between the parties that there is good cause for the Court to enter an order extending the time for Stanford to respond to Stanford Group Company's counterclaims from August 7, 2009 to September 11, 2009.

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1 IT IS FURTHER STIPULATED that the time for the Defendants to respond to pending  
2 discovery requests is extended from July 31, 2009 to September 4, 2009.

3 DATED: July 16, 2009  
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5 Bingham McCutchen LLP  
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8 By: /s/ William F. Abrams  
9 William F. Abrams  
10 Bingham McCutchen LLP  
11 Attorneys for Plaintiff  
The Board of Trustees of The Leland  
Stanford Junior University

12 DATED: July 16, 2009  
13

14 Thompson & Knight LLP  
15

16 By: /s/ Jessica B. Magee  
17 Jessica B. Magee  
18 Thompson & Knight, LLP

19 Attorneys for the Receiver for Defendants  
20 Stanford Financial Group Company and  
Stanford Group Company  
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1           **NOW THEREFORE, IT IS HEREBY ORDERED THAT** the Hearing to Show  
2 Cause, currently set for July 24, 2009, is re-scheduled for hearing at 10:00 a.m. in Courtroom 8  
3 on August 28, 2009.

4           **IT IS FURTHER ORDERED THAT** a Joint Case Management Conference Statement,  
5 currently due to be filed on or before July 17, 2009, shall be filed on or before August 21, 2009.

6           **IT IS FURTHER ORDERED THAT** Stanford Financial Group Company's Motion to  
7 Dismiss in Part for Lack of Personal Jurisdiction (Doc. No. 57), Stanford Group Company's  
8 Motion to Dismiss the First Amended Complaint For Failure to State a Claim on Which Relief  
9 Can be Granted (Doc. No. 62), Stanford Financial Group Company's Motion for Judgment on the  
10 Pleadings and to Dismiss the First Amended Complaint (Doc. No. 66), Stanford Financial Group  
11 Company's Motion to Dismiss a Portion of the First Amended Complaint for Lack of Subject-  
12 Matter Jurisdiction (Doc. No. 74), and Stanford Financial Group Company's Motion for Partial  
13 Summary Judgment (Doc. No. 80), set for hearing on August 21, 2009, are re-scheduled for  
14 hearing at 10:00 a.m. in Courtroom 8 on September 25, 2009, with opposition and reply  
15 deadlines to be based on the re-scheduled date.

16           **IT IS FURTHER ORDERED THAT** the time for Stanford to respond to Defendant  
17 Stanford Group Company's counterclaims is extended from August 7, 2009 to September 11,  
18 2009.

19           **IT IS FURTHER ORDERED** that the time for the Defendants to respond to pending  
20 discovery requests is extended from July 31, 2009 to September 4, 2009.

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24 DATED: July 16, 2009

25 The Honorable Charles R. Breyer  
26 UNITED STATES DISTRICT COURT  
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